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Attorneys for Defendants,
RBS CITIZENS, N.A. and
CITIZENS FINANCIAL GROUP, INC.

(Additional counsel in signature block)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

XIAOYAN TANG,)
)
)
Plaintiff,)
)
v.)
)
RBS CITIZENS, NATIONAL)
ASSOCIATION; CITIZENS)
FINANCIAL GROUP, INC.;)
and DOES 1-10,)
)
Defendants.)
)
)
_____)

Case No.

(San Mateo County Case No. 17-CIV-
2787)

**DECLARATION OF HAROLD M.
BRODY IN SUPPORT OF
DEFENDANTS' NOTICE OF
REMOVAL**

[28 U.S.C. §§ 1332, 1441, 1446]

Compl. Filed: June 22, 2017

Amended Compl. Filed: August 11, 2017

DECLARATION OF HAROLD M. BRODY

I, Harold M. Brody, declare as follows:

1. I am a partner in the law firm of Proskauer Rose LLP, attorneys of record for Defendants RBS Citizens, N.A. and Citizens Financial Group, Inc. (collectively “Defendants”) in the above-captioned action. I am admitted to practice before this Court, and am one of the attorneys responsible for the defense in this case. The facts stated herein are personally known to me unless otherwise specified and if called as a witness, I could and would competently testify to the truth of the facts set forth herein.

2. On or about June 22, 2017, Plaintiff Xiaoyan Tang (“Plaintiff”) filed an action in the Superior Court of the State of California, County of San Mateo, entitled *Tang v. The Royal Bank of Scotland Group et al.*, which was assigned Civil Action No. 17-CIV-02787 (the “State Court Action.”). A true and correct copy of Plaintiff’s Complaint is attached hereto as **Exhibit A**.

3. On or about August 11, 2017, Plaintiff filed a First Amended Complaint in the State Court Action.

4. On or about August 14, 2017, Defendants were served with a copy of the Summons and Amended Complaint in the State Court Action by personal service. A Notice of Case Management Conference was also included. A true and correct copy of the Summons and Amended Complaint are attached hereto as **Exhibit B**.

5. Plaintiff alleges claims of sexual harassment, defamation, retaliation, lost income, lost benefits and emotional distress. Plaintiff raised nearly identical claims, arising from the same facts, in the case *Tang v. Citizens Bank, et al*, Docket No. 17-1365, in the United States District Court for the District of Massachusetts. In that case, Plaintiff estimated her damages at \$13,965,347 and rising. Further, Plaintiff’s potential back pay recovery is in excess of \$100,000. These estimates, which Plaintiff provided in response to interrogatories, are attached hereto as **Exhibit C**.

6. Defendant Citizens Financial Group, Inc. is misnamed in the Complaint as RBS Citizens, N.A. It is a corporation organized under the laws of the State of Delaware with its

1 principal place of business located in Providence, Rhode Island. Effective April 16, 2014, RBS
2 Citizens, N.A. became Citizens Bank, N.A. Citizens Bank, N.A. is a subsidiary of Citizens
3 Financial Group, Inc. A Certificate of Corporate Existence referencing this title change is
4 attached hereto as **Exhibit D**.

5 7. Defendants will serve notice of Defendants' removal upon Plaintiff and the San
6 Mateo County Superior Court as soon as is practicable after effectuating removal.

7
8 I declare under penalty of perjury under the laws of the State of California and the United
9 States of America that the foregoing is true and correct and that I executed this Declaration on
10 September 12, 2017 in Los Angeles, California.

11
12 /s/ Harold M. Brody
13 Harold M. Brody
14
15

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on September 12, 2017, I caused the foregoing to be electronically
18 filed with the Clerk of Court using the CM/ECF system that will send notification of such filing
19 to all attorneys of record.

20
21 Dated: September 12, 2017

Respectfully submitted,

22 /s/ Harold M. Brody
23 Harold M. Brody
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